

## 25.511

### Failure Of Parent To Provide For Child

The crime of failure of a parent to provide for a child requires proof that the defendant was a parent who knowingly failed to furnish reasonable support for [his] [her] child.

In determining whether the defendant has failed to furnish reasonable support, you shall consider all assets, earnings, and entitlements of the defendant and whether the defendant has made all reasonable efforts to obtain the necessary funds.

[On a showing of previous employment or lack of a physical or mental disability precluding employment, you may infer that the defendant is capable of full-time employment at least at the federal adult minimum wage.]

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**SOURCE:** A.R.S. § 25-511 (statutory language as of August 6, 1999).

**USE NOTE:** Use language in brackets as appropriate to the facts. The inference that the defendant is capable of full-time employment does not apply to non-custodial parents who are under the age of eighteen and who are still attending high school. A.R.S. § 25-511(C).

The court must instruct on the culpable mental state. “Knowingly” is defined in A.R.S. § 13-105.

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